

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare:

That my residence, post office address and citizenship are as stated below next to my name.

That I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **A POROUS SEMICONDUCTOR-BASED OPTICAL INTERFEROMETRIC SENSOR** the specification of which (check one)

☐ is attached hereto.

☒ was filed on 10/30/97 as Application, Serial No. 08/961,308 and was amended on \_\_\_\_\_ (if applicable).

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

That I acknowledge the duty to disclose information known to be material to patentability of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

That I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

☐ ☐  
Yes No

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐ ☐  
Yes No

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐ ☐  
Yes No

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

That I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Application(s)

08/924,601 September 5, 1997 Pending  
(Application Serial No.) (Filing Date) (Status)-(Patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.) (Filing Date) (Status)-(Patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.) (Filing Date) (Status)-(Patented, pending, abandoned)

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

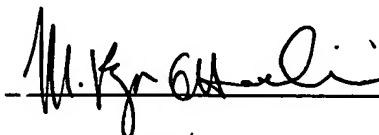
I hereby appoint the following attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to: WELSH & KATZ, LTD., 120 South Riverside Plaza, 22nd Floor, Chicago, Illinois 60606-3913, Telephone No.: (312) 655-1500:

<u>Attorney</u>	<u>Registration No.</u>
Donald L. Welsh	16,665
A. Sidney Katz	24,003
Richard L. Wood	22,839
Jerold B. Schnayer	28,903
Eric C. Cohen	27,429
Joseph R. Marcus	25,060
Gerald S. Schur	22,053
Gerald T. Shekleton	27,466
James A. Scheer	29,434
Daniel R. Cherry	29,054
Kathleen A. Rheintgen	34,044
Edward P. Gamson	29,381
Thomas W. Tolpin	26,700

Full name of sole or one  
joint inventor:

M. Reza Ghadiri

Inventor's signature:



Date:

2/9/98

Residence and Post Office Address:

5133 Seagrove Ct.

San Diego, California 92130

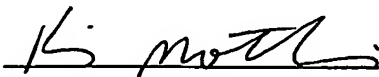
Citizenship:

U.S.A.

Full name of additional joint  
inventor, if any:

Kianoush Motesharei

Inventor's signature:



Date:

2/9/98

Residence and Post Office Address:

7055 Chantant Drive / Apartment #36 2475 Darlington Row  
San Diego, California 92122 La Jolla, CA 92037

Citizenship:

U.S.A.

Full name of additional joint  
inventor, if any:

Shang-Yi Lin

Inventor's signature:

Shang-Yi Lin

Date:

2/9/98

Residence and Post Office Address:

7545 Charmant Drive / Apartment #1325

San Diego, California 92122

Citizenship:

Republic of China (Taiwan)

Address for Correspondence:

**WELSH & KATZ, LTD.**  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606-3913

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☐ is attached hereto.

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Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

That I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Application(s)

<u>08/924,601</u> (Application Serial No.)	<u>September 5, 1997</u> (Filing Date)	<u>Pending</u> (Status)-(Patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status)-(Patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status)-(Patented, pending, abandoned)

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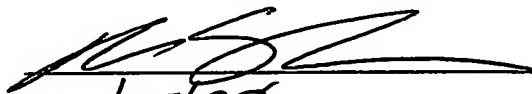
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<u>Attorney</u>	<u>Registration No.</u>
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A. Sidney Katz	24,003
Richard L. Wood	22,839
Jerold B. Schnayer	28,903
Eric C. Cohen	27,429
Joseph R. Marcus	25,060
Gerald S. Schur	22,053
Gerald T. Shekleton	27,466
James A. Scheer	29,434
Daniel R. Cherry	29,054
Kathleen A. Rheintgen	34,044
Edward P. Gamson	29,381
Thomas W. Tolpin	26,700

Full name of sole or one  
joint inventor:

Michael J. Sailor

Inventor's signature:

  
1/5/98

Date:

Residence and Post Office Address:

3303 Caminito Eastbluff, #178

LaJolla, California 92037

Citizenship:

U.S.A.

Full name of additional joint  
inventor, if any:

Keiki-Pua S. Dancil

Inventor's signature:



Date:

5 Jan 98

Residence and Post Office Address:

460 Camino Del Mar #16

Del Mar, California 92014

Citizenship:

U.S.A.

Address for Correspondence:

**WELSH & KATZ, LTD.**  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606-3913



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

82126  
EPG/GTS

JULY 07, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

WELSH & KATZ, LTD.  
GERALD T. SHEKLETON  
120 S. RIVERSIDE PLAZA  
22ND FLOOR  
CHICAGO, IL 60606



\*102373801A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/20/2003

REEL/FRAME: 013775/0980  
NUMBER OF PAGES: 6

BRIEF: CORRECTIVE ASSIGNMENT TO CORRECT THE ASSIGNEE NAME, PREVIOUSLY RECORDED ON REEL 009355 FRAME 0282.

ASSIGNOR:  
SAILOR, MICHAEL J.

DOC DATE: 01/05/1998

ASSIGNOR:  
DANCIL, KEIKI-PUN S.

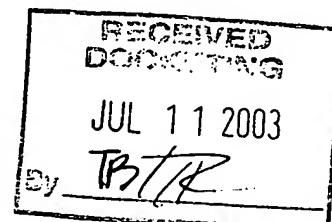
DOC DATE: 01/05/1998

ASSIGNEE:  
THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA AT SAN DIEGO  
9500 GILMAN DRIVE  
TECHNOLOGY TRANSFER OFFICE, MAIL  
CODE 0910  
SAN DIEGO, CALIFORNIA 92093

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2003 JUL 11 AM 8:52  
WELSH & KATZ, LTD

SERIAL NUMBER: 09795533  
PATENT NUMBER:

FILING DATE: 02/28/2001  
ISSUE DATE:



013775/0980 PAGE 2

DOROTHY RILEY, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



02-26-2003

Packet No.: 82136

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings

102373801

To the Honorable Commissioner of Patents and Trademarks: Please review the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Michael J. Sailor and Keiki-Pua S. Dancil

2-2003

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: January 5, 1998

2. Name and address of receiving party(ies):

Name: The Regents of the University of California  
at San Diego.

Internal Address:

Street Address: Technology Transfer Office, Mail Code

0910, 9500 Gilman Drive

City: San Diego

State: CA

ZIP: 92093

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/795,533

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gerald T. Shekleton

Internal Address: Welsh & Katz, Ltd.

Street Address: 120 S. Riverside Plaza, 22nd Floor

City: Chicago

State: IL

ZIP: 60606

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

23-0920

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Gerald T. Shekleton

Name of Person Signing

Signature

2/13/2003

Date

Total number of pages including cover sheet, attachments, and document:

8

08-06/1998

FORM PTO-1595

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)



100786154

SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Reza M. Ghadiri, Michael J. Sailor, Kianoush Moteshareei  
Shang-yi Liu and Keiki-Pua S. DancilAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: The Scripps Research Institute

Internal Address:

Street Address: 10550 North Torrey Pines Road

City: La Jolla

State: California

ZIP: 92037

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: January 5 and July 16, 1998

## 4. Application number(s) or patent number(s): 08/961,308

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Edward P. Gamson, Esq.

Internal Address: WELSH &amp; KATZ, LTD.

Street Address: 120 South Riverside Plaza  
22nd Floor

City: Chicago

State: IL

ZIP: 60606

## 6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41) ..... \$40.00

☒ Enclosed☐ Authorized to be charged to deposit account

## 8. Deposit account number: 23-0920

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Edward P. Gamson, Esq.  
Name of Person Signing

Signature

Date: July 28, 1998

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

08/04/1998 JHATKINS 00000142 08961308

01 FC:581

40.00 OP

Assignment

Serial No. 08/961,308

Filed October 30, 1997

**WHEREAS:**

Michael J. Sailor, residing at LaJolla, California 92037, a United States citizen and Keiki-Pua S. Dancil, 460 Camino Del Mar #16, Del Mar, California 92014, a United States citizen; (hereinafter referred to as ASSIGNORS), have invented and own a certain invention entitled:

**A POROUS SEMICONDUCTOR-BASED OPTICAL INTERFEROMETRIC SENSOR**

for which application for Letters Patent of the United States has been executed, and

**WHEREAS:**

The Regents of the University of California at San Diego, Technology Transfer Office, Mail Code 0910, 9500 Gilman Drive, San Diego, California 92093-0910 (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and the United States Letters Patent to be obtained therefor:

**NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:**

Be it known that in consideration of the payment by ASSIGNEE TO ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNORS hereby sell, assign and transfer to ASSIGNEE the full and exclusive right, title and interest to said invention or improvements and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute or reissue thereof and in and to all Letters Patent and all Convention and Treaty rights of all kinds, in all countries throughout the world for said invention for the full term or terms for which the same may be granted.

ASSIGNORS covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said rights, said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof. The attorneys of record in said application for patent are hereby authorized and requested by the undersigned to insert in this Assignment the data and serial number thereof in the places provided therefore.

IN WITNESS WHEREOF, we have hereunto set our hands and seal this 5 day of January, 1998.

  
Michael J. Sailor

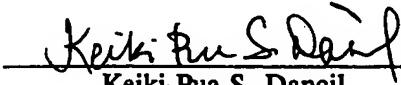
State of California )  
 )ss.  
County of San Diego )

On January 5, 1998, Michael J. Sailor appeared before me, a Notary Public in and for the State and County aforesaid, and acknowledged that he freely and voluntarily subscribed and executed the foregoing assignment for the purposes and uses therein expressed.

(SEAL)



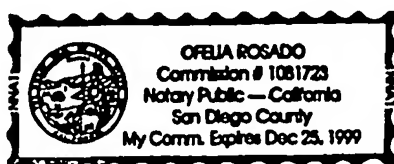
OFELIA ROSADO, Ofelia Rosado  
Notary Public  
My Commission expires 12/25/99

  
Keiki-Pua S. Dancil

State of California )  
 )ss.  
County of San Diego )

On January 5, 1998, Keiki-Pua S. Dancil appeared before me, a Notary Public in and for the State and County aforesaid, and acknowledged that he freely and voluntarily subscribed and executed the foregoing assignment for the purposes and uses therein expressed.

(SEAL)



OFELIA ROSADO, Ofelia Rosado  
Notary Public  
My Commission expires 12/25/99

# ASSIGNMENT

Serial No. 08/961,308

Filed October 30, 1997

In Consideration of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, the entire right, title and interest in the invention or improvements of the undersigned in A POROUS SEMICONDUCTOR-BASED OPTICAL INTERFEROMETRIC SENSOR and in the application for Letters Patent of the United States therefor, and in any reissue or extension of any Letters Patent that may be granted upon said application are hereby assigned by the undersigned to THE SCRIPPS RESEARCH INSTITUTE, A California Corporation, and the heirs, successors, legal representatives and assigns of THE SCRIPPS RESEARCH INSTITUTE (herein collectively called said Assignee), and the Commissioner of Patents and Trademarks is hereby authorized and requested by the undersigned to issue said Letters Patent to said Assignee.

For said considerations it is hereby agreed by the undersigned, upon the request of said Assignee, to execute any necessary and proper oaths or affidavits relating to said application or required for the filing or prosecution of any divisional or continuing application thereof or for the filing or prosecution of any application for the reissue or extension of any Letters Patent that may be granted on said invention or improvements that said Assignee may deem necessary or expedient, and for said considerations it is further agreed by the undersigned, upon request of said Assignee, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof, becomes involved in Interference, to cooperate to the best of the ability of the undersigned with said Assignee in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and further to perform, on such request, any and all affirmative acts to obtain said Letters Patent and vest all rights therein hereby conveyed in said Assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this Assignment and sale had not been made. And for said considerations the entire right, title and interest in said invention or improvements, including all priority rights, and the right to claim priority rights and the privileges and benefits thereof, including those under the International Convention, and all other Conventions, and the right to file applications for patent in said Assignee's own name for said invention or improvements in each and every country of the world are hereby assigned and granted by the undersigned to said Assignee. It is further agreed by the undersigned, upon the request of said Assignee, to execute any and all documents that shall be required of the undersigned to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said Assignee. The attorneys of record in said application for patent are hereby authorized and requested by the undersigned to insert in this Assignment the date and serial number thereof in the places provided therefor.

M. Reza Ghadiri (Seal)  
M. Reza Ghadiri

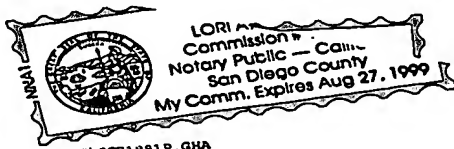
Kianoush Moteshareei (Seal)  
Kianoush Moteshareei

Shang-Yi Lin (Seal)  
Shang-Yi Lin

State of California )  
County of San Diego ) ss

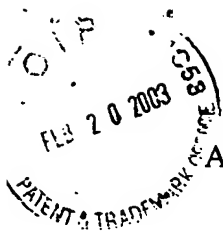
On July 16, 1998 before me, Lori A. Linderman, Notary Public  
personally appeared M. Reza Ghadiri, Kianoush Moteshareei  
and Shang-Yi Lin

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the



WITNESS my hand and official seal.

My Comm. 10191P.GHA



Attorney's Docket No. 82136

PATENT

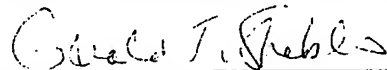
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

U.S. Patent and Trademark Office  
Assignment Division  
Box ASSIGNMENTS  
North Tower Building  
Suite 10C35  
Washington, DC 20231

**CORRECTION OF RECORDED COVER SHEET ERROR(S) 37 C.F.R. 3.34**

1. Applicant has noted an error in the cover sheets for the assignment(s) document(s) previously recorded on July 31, 1998, Reel/Frame 9355/0282.
2. Attached hereto is:  
a copy of the originally recorded documents.
3. Also attached hereto are corrected coversheets for recordation.
4. The error in the originally recorded cover sheets is apparent when compared with the Assignment Documents because:  
  
The Assignment for Michael J. Sailor and Keiki-Pua S. Dancil is assigned to The Regents of the University of California.
5. The recording fee is shown in the corrected cover sheet filed herewith. Payment of this recording fee is in the manner set forth in the corrected cover sheet.

Dated: February 13, 2003

  
Gerald T. Shekleton,  
Attorney for Agent of Record  
Registration No. 27,466

WELSH & KATZ, LTD.  
120 South Riverside Plaza, 22<sup>nd</sup> Floor  
Chicago, Illinois 60606-3913  
(312) 655-1500

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

Deposited with the United States  
Postal Service with sufficient  
postage as first class mail in an  
envelope addressed to the  
Commissioner for Patents/Washington  
DC 20231 Dated: February 12, 2003

I hereby certify that this paper is being  
deposited with the United States Postal  
Service as first class mail in an envelope  
addressed to: Commissioner for Patents,  
Washington, D.C. 20231 on this date.

Date

Registration No. 27,466

Attorney for Applicant



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 21, 1998

PTAS



\*100786154A\*

WELSH & KATZ, LTD.  
EDWARD P. GAMSON, ESQ.  
120 SOUTH RIVERSIDE PLAZAQ  
22ND FLOOR  
CHICAGO, IL 60606

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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